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C O N F I D E N T I A L SECTION 01 OF 02 SINGAPORE 001289

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DEPARTMENT FOR EAP/MTS - M. COPPOLA

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SUBJECT: SINGAPORE TOYS WITH ALLOWING POLITICAL FILMS

Classified By: Ambassador Patricia L. Herbold for reason 1.4(d).

11. (C) SUMMARY. Singapore is moving at glacial speed toward deciding whether, when, and how to allow political films in the island republic. Singapore's Films Act has long criminalized political films. After 20 months of work, a government-appointed Advisory Council on the Impact of New Media on Society (AIMS) recommended on December 2 replacing the outright ban with a process in which an advisory panel would have to certify that a political film is not "misleading" before it could be shown. The GOS will respond to the AIMS recommendations in mid-January. One banned documentary filmmaker told PolOff that he expects the GOS to crawl toward liberalization of the Films Act but that the proposed decriminalization would be a significant contribution to freedom of expression here. END SUMMARY.

The Films Act: 10 Years of Draconian Censorship  
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12. (U) Singapore's Films Act has criminalized political films since 1998. Section 33 of the Act prohibits importing, making, reproducing, distributing, or exhibiting any "party political film," as well as possessing such a film with the intent to distribute or exhibit it. The Act broadly defines "party political film" to include any film "directed towards any political end in Singapore." The only exceptions are films made solely for the purpose of "reporting current events" or informing the public about election procedures, and films sponsored by the GOS. Violations are punishable by a fine of up to S\$100,000 and two years in prison, and the authorities may seize and detain without warrant any political film, any associated filmmaking equipment, and any person in possession of the film. Section 35 of the Films Act further authorizes the government to ban any film (political or not) that is, in the opinion of the Minister of Information, Communication and the Arts, "contrary to the public interest."

Time to Study the Study  
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13. (U) The GOS created AIMS in April 2007 to produce, among other things, recommendations for amendments to the Films Act. In August 2008, Prime Minister Lee Hsien Loong publicly stated that some political films should be allowed, but "with safeguards," and not to include "purely made-up material, partisan stuff, (or) footage distorted to create a slanted impression." On December 2, AIMS delivered a report consistent with the PM's guidance. The report states, "The ban on party political films is too wide-ranging and stifling as the definition of a party political film could cover any film that touches on politics or government policies." The report also acknowledges that technology "has outpaced the law and made it extremely difficult to enforce. Section 33 can be bypassed using YouTube or other online video-sharing services that cannot be blocked or otherwise regulated without serious damage to Singapore's interests."

14. (U) The AIMS report rejects an immediate repeal of Section 33, however; instead, it recommends repeal "in phases." The proposed first steps are (1) to decriminalize political films and (2) to ban only those political films "made to intentionally mislead viewers." Whether a film is "misleading," the report suggests, could be left up to an advisory panel comprised of "citizens of high standing, who are non-partisan, and whose views carry weight with the public." The report also recommends retaining Section 35 of the Act, leaving the Minister of Information, Communication and the Arts free to ban films as "contrary to the public interest." The GOS announced that it will respond in mid-January. (The full AIMS report is available at <http://www.aims.org.sg>.)

Banned Filmmaker: Decriminalization a Good Start  
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15. (C) Documentary filmmaker Martyn See Tong Ming told PolOff he is disappointed that AIMS failed to urge outright repeal of Sections 33 and 35, but that decriminalization of political films would be a victory for freedom of political expression in Singapore. See is the director of one film banned under Section 33 ("Singapore Rebel," 2005, about opposition politician Chee Soon Juan) and one banned under Section 35 ("Zahari's 17 Years," 2006, about a former detainee under Singapore's Internal Security Act). For making "Singapore Rebel," See suffered confiscation of his film equipment and several police interrogations; he avoided prosecution by withdrawing the film from exhibition. According to See, the government is merely acknowledging that it cannot hope to police video content on the Internet. He

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nevertheless expects the government to drag its feet while evaluating the AIMS report and deciding on a policy response. Meanwhile, See said he is pondering whether to push the GOS by resubmitting "Singapore Rebel" to the Board of Film Censors and demanding certification of the film for exhibition.

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